



ORDINANCE

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

AN ORDINANCE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS RESULTING FROM THE CASE OF KEISHA DIXON AND JACQUELINE TATUM V. CITY OF ATLANTA AND DAVID PAUL LAND, STATE COURT OF FULTON COUNTY, GEORGIA, CIVIL ACTION FILE NO. 97-VS-0126909 IN AN AMOUNT NOT TO EXCEED \$19,500.00; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT; TO WAIVE CITY OF ATLANTA CODE OF ORDINANCES SECTIONS 2-4 AND 2-783 FOR THIS INSTANCE ONLY; AND FOR OTHER PURPOSES.

WHEREAS, Dixon et. al. v. City of Atlanta, et. al., Civil Action File No. 97-VS-0126909, is a case pending in the State Court of Fulton County, Georgia, in which the City of Atlanta and police officer David Paul Land are named as Defendants; and

WHEREAS, the Plaintiffs allege that they have suffered financial losses for property damage and medical treatments due to an automobile collision between a vehicle which they were occupying and a police car; and

WHEREAS, David Paul Land, while on duty as a police officer for the City of Atlanta, and while operating a vehicle owned by the City of Atlanta, was ticketed for and subsequently plead guilty to the traffic charge of making an improper turn which precipitated the collision with Plaintiffs' vehicle; and

WHEREAS, the Plaintiffs have agreed to accept \$19,500.00 as full settlement of all claims against the City of Atlanta and/or its agents; and

WHEREAS, the City Attorney has done an extensive review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiffs' claim is in excess of the settlement amount; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to resolve this matter and recommends that the City pay the amount of \$19,500.00 to settle all claims,



NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. The City Attorney is hereby authorized to settle the case of Dixon et. al. v. City of Atlanta, et. al. for an amount not to exceed Nineteen Thousand And Five Hundred Dollars (\$19,500.00).

SECTION 2. The Chief Financial Officer is authorized to pay a total amount not to exceed \$19,500.00 to Plaintiffs in this case from Account No. 1A01-529017-T31001.

SECTION 3. To the extent that Sections 2-4 and 2-783 of the Code of Ordinances of the City of Atlanta are in conflict herewith, those sections or subsections are waived for this instance only.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

MAY 21, 2001

MAY 30, 2001

President Pro Tem Bond Presided

RCS# 2865
5/21/01
1:48 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 16

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

01-O-0721
01-O-0752
01-O-0753
01-O-0494
01-O-0712
01-R-0763
01-R-0765

CONSENT

**ITEMS ADOPTED
ON CONSENT
AGENDA**

1. 01-O-0582
2. 01-O-0583
3. 01-O-0584
4. 01-O-0585
5. 01-O-0586
6. 01-O-0587
7. 01-O-0742
8. 01-O-0748
9. 01-O-0715
10. 01-O-0723
11. 01-O-0751
12. 01-O-0754
13. 01-O-0755
14. 01-O-0756
15. 01-O-0106
16. 01-O-0495
17. 01-O-0496
18. 01-O-0497
19. 01-O-0498
20. 01-O-0567
21. 01-O-0568
22. 01-O-0569
23. 01-O-0616
24. 01-O-0638
25. 01-O-0643
26. 01-O-0665
27. 01-O-0716
28. 01-O-0759
29. 01-R-0667
30. 01-R-0669
31. 01-R-0670
32. 01-R-0656
33. 01-R-0675
34. 01-R-0676
35. 01-R-0725
36. 01-R-0744
37. 01-R-0750
38. 01-R-0758
39. 01-R-0456
40. 01-R-0654

**ITEMS ADOPTED
ON CONSENT
AGENDA**

41. 01-R-0757
42. 01-R-0698
43. 01-R-0699
44. 01-R-0700
45. 01-R-0764
46. 01-R-0649
47. 01-R-0658
48. 01-R-0659
49. 01-R-0661
50. 01-R-0662
51. 01-R-0673
52. 01-R-0677
53. 01-R-0678
54. 01-R-0679
55. 01-R-0680
56. 01-R-0681
57. 01-R-0682
58. 01-R-0683
59. 01-R-0760
60. 01-R-0684

**ITEMS ADVERSE
ON CONSENT
AGENDA**

61. 01-R-0685
 62. 01-R-0686
 63. 01-R-0687
 64. 01-R-0688
 65. 01-R-0689
 66. 01-R-0690
 67. 01-R-0691
 68. 01-R-0692
 69. 01-R-0693
 70. 01-R-0694
 71. 01-R-0695
 72. 01-R-0697
 73. 01-R-0761
 74. 01-R-0762
-

01-0-0638

(Do Not Write Above This Line)

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BY THE PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE

AN ORDINANCE AUTHORIZING THE SETTLEMENT OF
ALL CLAIMS RESULTING FROM THE CASE OF **KEISHA
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AUTHORIZING THE CHIEF FINANCIAL OFFICER TO
DISBURSE THE SETTLEMENT AMOUNT; TO WAIVE CITY
OF ATLANTA CODE OF ORDINANCES SECTION 2-4 AND
2-783 FOR THIS INSTANCE ONLY; AND FOR OTHER
PURPOSES.

APPROVED:

Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADOPTED BY

- ☒ CONSENT REFER
☐ REGULAR REPORT REFER **MAY 21 2001**
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER **COUNCIL**

Date Referred **5/7/01**

Referred To: *Public Safety & Legal Administration*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee **P.S. & L.A.**

Date **5/12/01**

Chair *C. T. Johnson*

Referred to

Committee **P.S. & L.A.**

Date **5/15/01**

Chair *C. T. Johnson*

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members *Markus Ford*

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
MAY 21 2001
Markus Ford
COUNCIL PRESIDENT PROTEM

CERTIFIED
MAY 31 2001
Ruth Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 30 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW